

Message Text

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PAGE 01 DAR ES 01297 130932Z

22

ACTION L-03

INFO OCT-01 AF-06 ISO-00 SCA-01 JUSE-00 /011 W

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R 130830Z APR 76

FM AMEMBASSY DAR ES SALAAM

TO SECSTATE WASHDC 1248

LIMITED OFFICIAL USE DAR ES SALAAM 1297

E.O. 11652: N/A

TAGS: PFOR, CPRS, TZ

SUBJECT: EXTRADITION -- CALVIN C. COBB

REF: (A) STATE A-792, (B) DAR ES SALAAM 996

1. EMBASSY HAS RECEIVED REPLY FROM TANZANIAN FOREIGN MINISTRY TO ITS REQUEST FOR THE EXTRADITION OF CALVIN C. COBB. OPERATIVE TEXT OF FOREIGN MINISTRY'S NOTE NO. FAC/C.250/9 OF APRIL 2, 1976 IS AS FOLLOWS:

2. QUOTE CALVIN C. COBB IS AT THE MOMENT IN LAWFUL CUSTODY HAVING COMMITTED AN OFFENCE PUNISHABLE UNDER THE LAWS OF THE UNITED REPUBLIC OF TANZANIA. THE CIRCUMSTANCES ARE SUCH THAT THE PROCESS UNDERTAKEN CANNOT BE INTERRUPTED FOR THE TIME BEING. AS SOON AS CALVIN C. COBB RESUMES THE STATUS OF A FREE PERSON UNDER THE JURISDICTION OF THE UNITED REPUBLIC OF TANZANIA, THIS MINISTRY SHALL THEN IMMEDIATELY EXAMINE THE REQUEST OF THE UNITED STATES GOVERNMENT FOR HIS EXTRADITION. THE EMBASSY OF THE UNITED STATES OF AMERICA SHALL BE KEPT INFORMED OF ANY RELEVANT DEVELOPMENTS. UNQUOTE.

3. IT IS EMBASSY'S UNDERSTANDING THAT COBB IS PRESENTLY APPEALING TO THE EAST AFRICA COURT OF APPEALS HIS CONVICTION FOR FAILING TO COMPLY WITH AN ORDER DECLARING HIM A PROHIBITED IMMIGRANT. HE WAS CONVICTED BY A DAR ES SALAAM RESIDENT MAGISTRATE IN SEPTEMBER 1975 AND SENTENCED TO 14 DAYS IN JAIL OR 2,000 SHILINGS FINE. HIS APPEAL TO THE HIGH COURT OF TANZANIA WAS REJECTED AT THE END OF FEBRUARY 1976.

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4. WE NOTE THAT ACCORDING TO ARTICLE 4 OF THE ANGLO-AMERICAN EXTRADITION TREATY OF DECEMBER 22, 1931, WHICH IS APPLICABLE TO TANZANIA: QUOTE IF THE PERSON CLAIMED SHOULD BE UNDER EXAMINATION OR UNDER PUNISHMENT IN THE TERRITORIES OF THE HIGH CONTRACTING PARTY APPLIED TO FOR ANY OTHER CRIME OR OFFENCE, HIS EXTRADITION SHALL BE DEFERRED UNTIL THE CONCLUSION OF THE TRIAL AND THE FULL EXECUTION OF ANY PUNISHMENT AWARDED TO HIM. UNQUOTE.

DECONTROL UPON RECEIPT.
SPAIN

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Message Attributes

Automatic Decaptioning: X
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Disposition Authority: ShawDG
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